AMENDMENT 17

TO THE PACIFIC COAST GROUNDFISH FISHERY MANAGEMENT PLAN (MULTI-YEAR MANAGEMENT AND THE SPECIFICATIONS AND MANAGEMENT MEASURES PROCESS)

INCLUDING ENVIRONMENTAL ASSESSMENT, REGULATORY IMPACT REVIEW, AND INITIAL REGULATORY FLEXIBILITY ANALYSIS

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Lead Agency National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Northwest Regional Office
Seattle, Washington

Responsible Official D. Robert Lohn
Regional Administrator
Northwest Regional Office

For Further Information Contact
Yvonne deReynier
National Marine Fisheries Service
7600 Sand Point Way, NE
Seattle, WA 98115
(206) 526-6140

Or, Daniel Waldeck
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 200
Portland, OR 97220-1384
(503) 820-2280

Abstract: This Environmental Assessment analyzes the effects of converting the Pacific Fishery Management Council's current annual specifications and management measures process to a biennial management process. The federal action consists of specifying that the West Coast groundfish harvest specifications and management measures process will be conducted on a biennial basis. Three notices will be published in the *Federal Register* to make this rulemaking final, including a Notice of Availability for the Fishery Management Plan amendment, a Proposed Rule, and a Final Rule. Environmental effects considered within this document are to: target and non-target species, the age of the resource surveys and assessments used in setting harvest specifications, harvest availability and processing opportunity, safety of fishery participants, social and cultural needs of fishery participants, and public participation in and management and science time devoted to the specifications and management process. The preferred alternative is to have the Pacific Fishery Management Council meetings develop the specifications and management measures at three meetings held in the November, April, and June meetings prior to the start of the biennial fishing period. The biennial fishing period will start on January 1, with the first biennial fishing period being from January 1, 2005 through December 31, 2006.

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1.0 PURPOSE AND NEED FOR ACTION

1.1 How this Document is Organized

This document is an Environmental Assessment and Regulatory Impact Review (EA/RIR) for Amendment 17 to the Pacific Coast Groundfish Fishery management Plan (FMP.) Amendment 17 primarily addresses the Council process of setting groundfish specifications and management measures and revisions to that process.

- Chapter 1 provides the "Purpose and Need" for the Council's action and is intended to provide the public with an explanation of why the Council is considering an FMP amendment.
- Chapter 2 describes the alternatives that the Council has considered for revising the groundfish specifications and management measures process.
- Chapter 3 describes the physical, biological, and socio-economic environment of the groundfish species and groundfish fisheries that could be affected by Amendment 17.
- Chapter 4 is an analysis of the potential effects of the alternatives considered in Amendment 17 on the human environment.
- Chapter 5 addresses the consistency of Amendment 17 alternatives with the FMP and other applicable law.
- Chapter 6 contains the Regulatory Impact Review.
- Chapter 7 provides a bibliographic reference for this document and lists the documents preparers.
- Appendix A excerpts the portions of the FMP that would be amended by this action and provides alternative amendatory language.
- Appendix B shows sample timelines for making the transition from the status quo annual management process to alternative biennial management processes.

1.2 Purpose and Need

The FMP provides guidance for the Council's groundfish fishery management policies. This FMP covers over 80 species of groundfish (listed in Section 3.0 of the FMP) taken in multi-user fisheries occurring within the Exclusive Economic Zone (EEZ, 3-200 nautical miles offshore) off the coasts of Washington, Oregon, and California. Many of the FMP's guiding policies have been implemented through long-term federal regulations at 50 CFR 660.301-.360. These regulations cover issues ranging from allocations of particular species between different user groups to gear marking requirements to licensing and observer requirements.

In addition to deliberating on long-term groundfish fishery regulations, the Council sets groundfish harvest levels through an annual regulatory process. This annual process establishes harvest "specifications", which are harvest levels or limits such as Acceptable Biological Catches (ABCs,) optimum yields (OYs,) or allocations for different user groups. Management measures, such as trip limits, closed times and areas, and gear restrictions are also set in the annual regulatory process. Management measures are partnered with the specifications in the annual process because these measures are specifically designed to allow the fisheries to achieve, but not to exceed, the specifications harvest levels.

Annual development of specifications and management measures, with regulatory review and implementation by NMFS, is authorized in Section 5.6 of the FMP. Under this section of the FMP, certain management measures have been designated as routine for many of the groundfish species managed under the FMP. The Council annually publishes a list of those management measures designated as routine in its Stock Assessment and Fishery Evaluation (SAFE) Report.

Reconsidering the process by which new management measures are designated as routine is not part of the purpose of the actions analyzed in this document. Instead, the actions analyzed in this document will focus on the larger framework for developing and implementing specifications and management measures.

Since 1990, the Council has annually developed its recommendations for specifications and management measures in a two-meeting process (usually its September and November meetings) followed by a NMFS final action published in the Federal Register and made available for public comment and correction after the effective date of the action. In 2001, NMFS was challenged on this process in Natural Resources Defense Council, Inc. v. Evans, 2001 168 F.Supp. 2d 1149 (N.D. Cal. 2001) and the court ordered NMFS to provide prior public notice and allow public comment on the annual specifications. Because of this court order, the Council needs to amend the FMP's framework for developing annual specifications and management measures to incorporate NMFS publication of a proposed rule for the specifications and management measures, followed by a public comment period and a final rule.

In addition to needing to revise the notice and comment procedure associated with the specifications and management measures, the Council wished to take a new look at efficiency in the annual management process. Groundfish management workload levels have grown in recent years, particularly those associated with setting annual harvest levels for both depleted and healthy stocks. Because of the increasing workload associated with developing specifications and management measures, the Council and NMFS have had less time for addressing many other important groundfish fishery management issues. NMFS has recently asked all of the fishery management councils to consider how they might streamline their processes for developing regulatory recommendations. To meet this NMFS request, the Council has decided that it needs to consider whether specifications and management measures could be published for multi-year, rather than single year, periods.

The Council's purposes in and needs for considering the actions analyzed in this document are to:

- Comply with a court order to provide more opportunity for public comment in the NMFS rule publication process;

- Streamline the process of and reduce the workload associated with developing specifications and management measures so that more Council and NMFS time may be devoted to issues other than specifications and management measures development.

1.3 Public Participation

The court's order in Natural Resources Defense Council, Inc. v. Evans, 2001 168 F.Supp. 2d 1149 (N.D.Cal. 2001) required that NMFS provide prior public notice and comment on the annual specifications. NMFS also began discussions about streamlining regulatory development and implementation processes with all of the fishery management councils in summer 2001. Because several NMFS Regions and councils use annual specifications and management measures development processes, the efficiency of those processes was an important part of the regulatory streamlining discussions. One suggestion to come out of those discussions was that some councils might consider whether their specifications and management measures could be developed for multi-year periods.

At its November 2001 meeting, the Council discussed the need to incorporate a NMFS public notice and comment period into the specifications and management measures process before implementation of the final rule. The Council decided that it could combine its investigations into how to modify the notice and comment period and into the applicability of multi-year management to groundfish fishery management. To initially scope out these issues, the Council created the Ad-Hoc Groundfish Multi-Year Management Committee (hereinafter, "Committee.") The Committee included representatives from the fishing industry, the conservation community, the three states and NMFS.

The Committee held public meetings in Portland, OR over December 13-14, 2001, and over January 31 - February 1, 2002. During those meetings, the Committee discussed the many issues associated with changing the specifications and management measures notice and comment process and with the possibility of making a transition to multi-year management (detailed in Section 3.3.1 of this document.) In its meetings, the Committee developed a suite of options to address the issues discussed in the Purpose

and Need section of this document, above. In March 2002, the Council made these options available for more broad public comment. The public provided comment to the Council at its April 2002 and subsequent meetings. At its April 2002 meeting, the Council chose five alternatives for analysis based in part on the comments of the public and its advisory bodies. A draft analysis of alternative specifications and management measures processes was available for public consideration at the June 2002 Council meeting. These alternatives are presented in Section 2.0 of this document. Based on public comment the Council received in June, the Council requested an additional analysis of whether and how multi-year management options would make use of multi-year optimum yields (OYs). The Council briefly reviewed this additional analysis at its September 2002 meeting, then provided a final opportunity for public comment and made its final decision at its November 2002 meeting.

1.4 Decision to be Made

If NOAA approves this action, Amendment 17 would modify the FMP to set the Council's development process for the groundfish harvest specifications and management measures as a biennial process, using three meetings for that development. Amendment 17 would confirm that January 1 would remain the start date of each fishing year or two-year fishing period. Amendment 17 would also provide that, in general, the Council would develop biennial groundfish specifications and management measures at sequential November, April, and June meetings. The Council's recommendations for groundfish specifications and management measures would be finalized at the June Council meeting prior to the biennium to which they would apply, allowing adequate time for implementation through a notice and comment rulemaking.. Further, Amendment 17 would specify that, through the biennial specifications process, harvest specifications would be set for two subsequent years, with one-year OYs for each species or species group. The management measure established during the biennial process would still be adjusted as is done now, during the fishing season, to allow the fishery to achieve, but not exceed, the annual OY. Because of the unique life cycle of Pacific whiting, and because whiting management negotiations are ongoing with Canada at the time of this FMP amendment, the Council has recommended that Amendment 17 allow whiting to be managed on a separate, annual basis, if necessary. In addition to these basic revisions to the specifications and management measures process, the Council and NMFS may develop an additional process for reviewing and possibly revising, in limited circumstances, harvest levels mid-way through the two-year management cycle to ensure that they are adequately conservative to protect overfished species.

This action is an amendment to an FMP; NOAA review and approval, partial approval, or disapproval of FMP amendments is governed by Magnuson-Stevens Act processes. Under the Magnuson-Stevens Act at Section 304, NOAA Fisheries must publish an FMP amendment Notice of Availability in the *Federal Register* upon receipt of that amendment from a fishery management council. The public is given 60 days to review the FMP amendment, after which NOAA (acting on behalf of the Secretary of Commerce) has 30 days to determine whether to approve, partially approve, or disapprove the FMP amendment. If NOAA fails to make a determination on the amendment, it is automatically approved after the 30-day review period. NOAA approval of Amendment 17 and the multi-year management program that would be implemented by this amendment will be based upon whether Amendment 17 complies with the Magnuson-Stevens Act and other applicable laws.

1.5 Related NEPA Analyses

This section describes NEPA documents that have analyzed or will analyze actions related to those analyzed within this EA. These NEPA documents provide further information on and analysis of actions relating to West Coast groundfish management.

1.5.1 Environmental Impact Statement (EIS) for Proposed Groundfish Acceptable Biological Catch and Optimum Yield Specifications and Management Measures for the 2003 Pacific Coast Groundfish Fishery. (January 2003)

This EIS for the 2003 specifications and management measures provides an analysis of the effects of implementing the complete package of management measures for 2003. The EIS provides an example of the type of NEPA analysis needed in developing annual specifications and management measurers. The Council's annual SAFE document serves as an appendix to this EIS, with information on the history of the fishery's management, stock status for recently assessed species, economic analyses, and other information.

1.5.2 EIS on Overfished Species Rebuilding Plans. (In development.)

The Council is preparing an EIS for what will become Amendment 16 to the FMP, which will set overall guidelines for the contents of overfished species rebuilding plans and which will incorporate rebuilding plans for several species in the FMP. The Amendment 16 EIS is scheduled for concurrent consideration with the specifications and management measures issues discussed in this EA. During discussions on each of these issues, the Council will need to ensure that processes analyzed herein for developing specifications and management measures are compatible with processes for developing and implementing overfished species rebuilding plans.

1.5.3 Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis (EA/RIR/IRFA) for Proposed Groundfish Acceptable Biological Catch and Optimum Yield Specifications and Management Measures for the 2002 Pacific Coast Groundfish Fishery. December 2001.

This EA/RIR/IRFA was prepared for the 2002 specifications and management measures and provides an example of the type of NEPA analysis used for developing the annual specifications and management measures. Similar to the 2003 EIS, the Council's SAFE document served as an appendix to this EA/RIR/IRFA. This EA/RIR/IRFA was intended to address the effects of the 2002 specifications and management measures on the environment, not the effects of the rulemaking development process on the environment.

1.5.4 EA/RIR for Amendment 13 to the Pacific Coast Groundfish FMP. December 2000.

Among other issues, Amendment 13 provided new flexibility in setting annual management measures, so that those measures could better address the rebuilding needs of overfished species. This NEPA analysis addressed the process by which new management measures are designated as routine. These routine management measures are the management measures developed in the annual specifications process. As mentioned above, the process by which new management measures are designated as routine is not part of the purpose of the Council's current discussions. Nonetheless, the Amendment 13 NEPA analysis may provide relevant additional background on the annual process of developing specifications and management measures.

2.0 ALTERNATIVES INCLUDING THE PROPOSED ACTION

2.1 Development of the Alternatives and How the Alternatives are Structured

As discussed above in Section 1.3, the alternatives for revising the specifications and management measures development process were initially discussed in December 2001 and January/February 2002 meetings of the Groundfish Multi-Year Management Committee. The Committee developed six alternatives intended to represent a reasonable range of alternative management regimes for addressing the issues discussed under Section 1.0, Purpose and Need. At its April 2002 meeting, the Council eliminated one alternative from consideration and made the five remaining alternatives available for public review. That eliminated alternative and other alternatives not considered in this document are briefly detailed in Section 2.3 of this document. At its June 2002 meeting, the Council asked for an analysis of a secondary issue relevant to each of the multi-year management alternatives – whether and how multi-year management options would make use of multi-year OYs.

2.2 Issue 1 – Process Alternatives

Each of the five following process alternatives provides the following components:

- Either an annual or biennial framework for setting specifications and management measures.
- The number of Council meetings used in developing specifications and management measures and the months in which those meetings would be held.
- The start date of the fishing year.
- A schedule for conducting new and updated groundfish stock assessments.

Table 2.2.1 Summary of Process Alternatives

	Alternative 1	Alternative 2	Alternative 3	Alternative 4	Alternative 5
Annual or Biennial	Annual	Biennial	Biennial	Biennial	Biennial
Council Meetings	September November	April June September	November March/April June	June September November	June September
Fishing Year Start Date	January1	March 1	January 1	May 1	March 1
Stock Assessments	one-third assessed each year	Two-year science schedule: one year to develop and refine models, second year to update all assessments and add new assessments.			

Process Alternative 1 (No Action)

The theme of Process Alternative 1 is to continue with the current annual management cycle, giving priority to the specifications and management measures process over other Council activities.

- Specifications and management measures set annually for a one-year period.
- Two Council meetings, with proposed specifications and management available at Meeting 1 and Council final action at Meeting 2.

  **This two-meeting process (usually September and November meetings) was standard for the 1990-2001 specifications and management measures. For the 2002 specifications, the Council adopted a three-meeting process, with proposed specifications available in June, proposed management measures available in September, and final Council action on all items in November. For 2003, the Council has had to revert to a two-meeting process (June, September) to allow a public notice and comment period prior to an expected March 1, 2003 finalization. For the purposes of this analysis, the two-meeting process will be considered the No Action alternative. **
- January 1 fishing year start date.
- Stock assessments for each assessed species are conducted once every three years. In other words, one-third of all assessed stocks receive assessment updates each year

Table 2.2.2 Alternative 1, status quo/no action

1st third of all assessed stocks			2nd third of all assessed stocks			3rd third of all assessed stocks		
Survey	*Assessed*	*Harvest*	*Survey*	*Assessed*	*Harvest*	*Survey*	*Assessed*	*Harvest*
Year 1	Year 2	Year 3						
Year 1	Year 2	Year 4	Years 1-2	Year 3	Year 4			
Year 1	Year 2	Year 5	Years 1-2	Year 3	Year 5	Years 1-3	Year 4	Year 5
Years 2-4	Year 5	Year 6	Years 1-2	Year 3	Year 6	Years 1-3	Year 4	Year 6
Years 2-4	Year 5	Year 7	Years 2-5	Year 6	Year 7	Years 1-3	Year 4	Year 7
Years 2-4	Year 5	Year 8	Years 2-5	Year 6	Year 8	Years 4-6	Year 7	Year 8
Years 5-7	Year 8	Year 9	Years 2-5	Year 6	Year 9	Years 4-6	Year 7	Year 9

Process Alternative 2 (biennial, three-meeting, March 1 start)

The theme of Process Alternative 2 is to maximize time for stock assessment scientists, Council staff, and NMFS staff to prepare documentation needed to implement specifications and management measures. Additionally, biennial management is intended to allow the Council time to focus its work in alternate years on issues other than specifications and management measures.

- Specifications and management measures set biennially for a two-year period.
- Three Council meetings, with proposed specifications available in April (Meeting 1,) proposed management measures available in June (Meeting 2,) and Council final action in September (Meeting 3.)
- March 1 fishing year start date.
- Stock assessments for each assessed species are conducted every other year.

Table 2.2.3 Alternative 2

Years in which stock surveys are conducted	Year All Stocks Assessed	Years harvest limits are based on that assessment
Year 1	Years 2-3	Years 4-5
Year 2	Years 4-5	Years 6-7
Year 3	Years 4-5	Years 6-7
Year 4	Years 6-7	Years 8-9
Year 5	Years 6-7	Years 8-9

Process Alternative 3 (biennial, three-meeting, January 1 start), Council preferred

The theme of Process Alternative 3 is to maximize time for stock assessment scientists, Council staff, and NMFS staff to prepare documentation needed to implement specifications and management measures ***without disrupting historic January 1 season start date.*** *Additionally, biennial management is intended to allow the Council time to focus its work in alternate years on issues other than specifications and management measures.*

- Specifications and management measures set biennially for a two-year period.
- Three Council meetings, with proposed specifications available in November (Meeting 1,) proposed management measures available in March/April (Meeting 2,) and Council final action in June (Meeting 3.)
- January 1 fishing year start date.
- Stock assessments for each assessed species are conducted every other year.

Table 2.2.4 Alternative 3

Years in which stock surveys are conducted	Year All Stocks Assessed	Years harvest limits are based on that assessment
Year 1	Year 2	Years 4-5
Year 2	Year 4	Years 6-7
Year 3	Year 4	Years 6-7
Year 4	Year 6	Years 8-9
Year 5	Year 6	Years 8-9

Process Alternative 4 (biennial, three-meeting, May 1 start)

The theme of Process Alternative 4 is to minimize the time between stock surveys and the years in which those surveys are used in setting harvest limits, ***while also maximizing time for Council staff and NMFS staff to prepare documentation*** *needed to implement specifications and management measures. Additionally, biennial management is intended to allow the Council time to focus its work in alternate years on issues other than specifications and management measures.*

- Specifications and management measures set biennially for a two-year period.
- Three Council meetings, with proposed specifications available in June (Meeting 1,) proposed management measures available in September (Meeting 2,) and Council final action in November (Meeting 3.)
- May 1 fishing year start date.
- Stock assessments for each assessed species are conducted every other year.

Table 2.2.5 Alternative 4

Years in which stock surveys are conducted	Year All Stocks Assessed	Years harvest limits are based on that assessment
Year 1	Year 2	Years 3-4
Year 2	Year 4	Years 5-6
Year 3	Year 4	Years 5-6
Year 4	Year 6	Years 7-8
Year 5	Year 6	Years 7-8

Process Alternative 5 (biennial, two-meeting, March 1 start)

The theme of Process Alternative 5 is to ***minimize the time between stock surveys and the years in which those surveys are used in setting harvest limits****. Additionally, biennial management is intended to allow the Council time to focus its work in alternate years on issues other than specifications and management measures.*

- Specifications and management measures set biennially for a two-year period.
- Two Council meetings, with proposed specifications and management measures available in June (Meeting 1) and Council final action in September (Meeting 2.)
- March 1 fishing year start date.
- Stock assessments for each assessed species are conducted every other year.

Table 2.2.6 Alternative 5

Years in which stock surveys are conducted	Year All Stocks Assessed	Years harvest limits are based on that assessment
Year 1	Year 2	Years 3-4
Year 2	Year 4	Years 5-6
Year 3	Year 4	Years 5-6
Year 4	Year 6	Years 7-8
Year 5	Year 6	Years 7-8

Table 2.2.7 Groundfish Multi-Year Management Process Alternatives – Summary of Policy Considerations (Y = Year)

Process Alternative	**Science Process** *Stock assessments occur Jan-May needed for all options. Different schedule indicated when more time available.*	**Data/Stock Assessment Use** *May not survey all stocks in all years. Y1 survey data used in Y2 assessment process.*	**Council Process** *Council process and workload more or less burdensome depending on whether 2- or 3-meeting process*	**NMFS Process** * 5 months minimum needed for proposed rule, comment period and response time*	**Industry Needs/Effects** *Where process is 2-years, discipline is needed in 1st fishing year to not push limits higher in Council process – otherwise fewer fish available for 2nd year, possible early closures
1. Status quo, 2-meeting annual process, 1/1 start. Annual process PFMC meets Sept. (proposed) and Nov. (final), Fishing Year starts Jan 1.	• 1/3 of stocks each year (labeled as groups A, B, and C in next box ➜) • STAR process for all assessed species, each year	• Year 1 survey info used in Y3 fishing for stock group A • Y1-2 survey info used in Y4 fishing for stock group B • Y1-3 survey info used in Y5 fishing for stock group C	• 7 months for Council staff and committees work on NEPA/RFA, SAFE documents • Less overall Council time for issues other than specifications	• 2 months for implementation, inadequate time • Less overall NMFS time for issues other than specifications	• Start date the same, process same, so little/no industry adjustment • Less Council/NMFS time to work on other industry issues
2. 3-meeting, biennial process, 3/1 start. PFMC meets April (proposed ABC/OY), June (final ABC/OY, proposed management), and Sept (final management) Fishing year starts March 1	• Stock assessments could occur Jan- Mar of following Y • All stocks assessed every other year with STAR or STAR-lite review • Intervening years have STAR process for models, new overfished spp.	• Year 1 survey info used in Y4-5 fishing for all stocks • Y2 survey info used in Y6-7 fishing • Y3 survey info used in Y6-7 fishing	• 11-19 months for Council staff and committees work on NEPA/RFA, SAFE documents • More time for issues other than specifications • Inseason adjustments for last 3 months made at Nov meeting. • Conflict with salmon management schedule	• 5.5 months for implementation, adequate time • More NMFS time for issues other than specifications	• Change in fishing year requires business planning changes for industry • 2-year process, possible early closures if limits not controlled • More Council/ NMFS time to work on other industry issues • Fishing based on older data than all other alternatives
3. 3-meeting, biennial process, 1/1 start. PFMC meets Nov (proposed ABC/OY), March/April (final ABC/OY, proposed management), and June (final management) Fishing year starts Jan 1	• Stock assessments occur Jan-Oct • All stocks assessed every other year with STAR or STAR-lite review • Intervening years have STAR process for models, new overfished spp.	• Year 1 survey info used in Y4-5 fishing for all stocks • Y2 survey info used in Y6-7 fishing • Y3 survey info used in Y6-7 fishing	• 14 months for Council staff and committees work on NEPA/RFA, SAFE documents • More time for issues other than specifications • Conflict with salmon management schedule	• 6.5 months for implementation, adequate time • More NMFS time for issues other than specifications	• Start date the same • 2-year process, possible early closures if limits not controlled • Fishing based on older data than Alternatives 1, 4, 5 • More Council/ NMFS time to work on other industry issues

Process Alternative	Science Process *Stock assessments occur Jan-May needed for all options. Different schedule indicated when more time available.*	Data/Stock Assessment Use *May not survey all stocks in all years. Y1 survey data used in Y2 assessment process.*	Council Process *Council process and workload more or less burdensome depending on whether 2- or 3-meeting process*	NMFS Process * 5 months minimum needed for proposed rule, comment period and response time*	Industry Needs/Effects *Where process is 2-years, discipline is needed in 1st fishing year to not push limits higher in Council process – otherwise fewer fish available for 2nd year, possible early closures
4. 3-meeting, biennial process, 5/1 start. PFMC meets June (proposed ABC/OY), Sept. (final ABC/OY, proposed management), and Nov. (final management) Fishing year starts May 1	• All stocks assessed every other year with STAR or STAR-lite review • Intervening years have STAR process for models, new overfished spp. • Database adjusting for change in fishing year	• Year 1 survey info used in Y3-4 fishing for all stocks • Y2 survey info used in Y5-6 fishing • Y3 survey info used in Y5-6 fishing	• 9 months for Council staff and committees work on NEPA/RFA, SAFE documents • More time for issues other than specifications • Inseason adjustments in Nov. and March possibly ill-timed for May 1 fishery start • Re-evaluation of whiting and fixed gear sablefish season management required	• 6 months for implementation, adequate • More NMFS time for issues other than specifications	• Change in fishing year requires business planning changes for industry • 2-year process, possible early closures if limits not controlled • 5/1 fishery start conflicts with current whiting and fixed gear sablefish seasons, tribal groundfish fishery management • More Council/ NMFS time to work on other industry issues
5. 2-meeting, biennial process, 3/1 start. PFMC meets June (proposed) and Sept (final), Fishing Year starts March 1	• All stocks assessed every other year with STAR or STAR-lite • Intervening years have STAR process for models, new overfished spp. • Database adjusting for change in fishing year	• Year 1 survey info used in Y3-4 fishing for all stocks • Y2 survey info used in Y5-6 fishing • Y3 survey info used in Y5-6 fishing	• 9 months for Council staff and committees work on NEPA/RFA, SAFE documents • More time for issues other than specifications • Inseason adjustments for last 2-3 months made at Nov meeting	• 5.5 months for implementation, adequate • More NMFS time for issues other than specifications	• Change in fishing year requires business planning changes for industry • 2-year process, possible early closures if limits not controlled • More Council/ NMFS time to work on other industry issues

2.3 Issue 2 – Optimum Yield (OY) Duration Alternatives

Process Alternatives 2-5 feature biennial specifications and management measures processes. The Council has been operating with an annual specifications process (Process Alternative 1) since 1990. In that process, OYs have been set for one year periods. Within a biennial specifications and management measures process, the Council could use two one-year OYs or one two-year OY for each species or species group, or a mix of those alternatives for different species or species groups.

Optimum Yield Duration Alternative 1 (status quo/no action), Council preferred

All OYs for all species or species group would be set for one-year periods. In a biennial management process, each fishing year the Council would manage each species or species group to achieve but not exceed its one-year OY. At the beginning of each fishing year, fishing would begin on new one-year OYs, with no adjustments made for underage or overages in the prior year.

At its November 2002 meeting, the Council recommended this alternative, as refined by suggestions from the Council's Groundfish Management Team (GMT). The GMT suggested and the Council adopted for NMFS review, a biennial management process that implements two one-year OYs for all species. As part of this process, the Council would include a mid-biennium check-up on harvest levels that takes advantage of the two-year science process associated with the biennial management process as follows:

Table 2.3.1	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7
Survey	A	B	C	D	E		
Assessment		A		A-C*		A-E	
Management			A		A-C		A-E
Fishing				A	A	A-C	A-C

* Assessments for fishing in Years 6-7 would be complete by October of Year 4. November Council meeting of Year 4 provides checkpoint for Year 5 harvest levels to ensure that those harvest levels set in earlier management process are adequately conservative to meet overfished species protection and conservation requirements.

Optimum Yield Duration Alternative 2 (two-year OYs)

All OYs for all species would be set for two-year periods. In a biennial management process, the Council would manage each species to achieve but not exceed the biennial OY for that species. At the end of the first year of the fishing cycle, any OY underage or overage from that year would carry over into the second year, affecting the amount of each species that could be taken in that second year. Under this alternative, the Council may wish to develop harvest checkpoints to articulate the percent of each species' OY that could be expected to be taken at different points during the two-year cycle. These harvest checkpoints would be based on historic fishing cycles, would integrate groundfish landings with landings of other species coastwide, and could be used to monitor progress through the two-year period to ensure that no severe underage or overages occur.

Optimum Yield Duration Alternative 3 (mix of one-year and two-year OYs)

OYs for some species would be set for one-year periods, for others OYs would be set for two-year periods. The Council could choose during the development of each new management cycle which species would be managed for one-year OYs and two-year OYs. One-year OYs would allow single year targets for some species within the biennial cycle, which might be appropriate for species that require particularly conservative management, such as overfished species.

2.4 Alternatives Eliminated from Detailed Study

During its initial meetings, the Multi-Year Management Committee discussed several variations on the options listed above:

Multi-Year Management for Periods Longer Than Two Years. Of the five process alternatives listed above, one would continue the annual management cycle and four would move the Council to biennial specifications and management measures. The Committee discussed management cycles ranging from one to five years in duration. These discussions revealed that setting the length of the management cycle would be a delicate balance between ensuring the use of the best and most recently available scientific information and allowing management process participants adequate time to discuss and absorb this scientific information and its implications for management. Under the current annual cycle, processing and review of data must occur at a fairly swift pace, using scientific personnel time and resources that might otherwise be dedicated to stock assessments and advanced modeling. Thus, the annual cycle tends to allow participating scientists to assess about one-third of all assessed stocks in any one year. As a result, each year's management cycle uses the most recently available information for one-third of assessed stocks. Discussions between the Committee and stock assessment scientists about timing of assessments and data availability led the Committee to conclude that a two-year management cycle would allow participating scientists more time to process and review data from the stock surveys and then more time to complete stock assessments for setting specifications and management measures. Three- to five- year cycles would have lengthened the scientific process further, but the longer cycles would have also resulted in managers using "older" data in setting harvest levels. The Committee determined that the benefits of a longer assessment and analysis period were outweighed by the need to use the best available scientific information in support of the management process.

Changing Council Meeting Dates. During its initial discussions, the Committee looked at different ways of addressing the scheduling needs of the scientific process (processing and reviewing data from resource surveys through to completed assessments) and the public notice and comment process (NMFS publication of proposed and final rules in the Federal Register). In addition to considering changing the duration of the management cycle, the fishing year start date, and the Council meetings at which discussion and decision occur, the Committee also looked at changing the dates of Council meetings to better incorporate the scientific process and the notice and comment process. For example, the Committee considered whether the process could be better served by moving the June Council meeting to July, or by moving the September and November meetings to early August and October. Ultimately, the Committee set aside these considerations for two logistical reasons. First, the current Council meeting schedule of five meetings per year held in March, April, June, September, and November is based on the management needs of a variety of fisheries (groundfish, salmon, coastal pelagic species, highly migratory species, halibut). Historically, the September and November meetings have been dominated by groundfish issues, thus the timing of those meetings could have been more flexible with changes to groundfish management needs. March and April meetings, however, are strictly timed with salmon season management and timing for those meetings could not be made flexible to accommodate groundfish management needs. The Committee was uncomfortable with the potential ripple effects of changing Council meeting dates on the management of species other than groundfish. Second, Council meeting dates must be set several years in advance to ensure meeting location reservations adequate for the large number of Council meeting participants. Even if the Committee had wanted to forward an alternative meeting schedule for public consideration, the Council and NMFS would not have been able to fully implement such an alternative for three to four years. The Committee felt that there were sufficient alternatives for addressing their goals in taking a new look at the management process without having to also address the complications of meeting logistics. Based on these technical and economic considerations, changing Council meeting dates was eliminated from further analysis.